

House Study Bill 173 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
HORBACH)

A BILL FOR

1 An Act providing that the workers' compensation commissioner
2 and the labor commissioner shall be appointed by and
3 serve at the pleasure of the director of the department
4 of workforce development and including effective date
5 provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 86.1, Code 2011, is amended to read as
2 follows:

3 **86.1 Workers' compensation commissioner — term.**

4 The ~~governor~~ director of the department of workforce
5 development shall appoint, ~~subject to confirmation by the~~
6 ~~senate,~~ a workers' compensation commissioner ~~whose term of~~
7 ~~office who~~ shall ~~be six years beginning and ending as provided~~
8 ~~in section 69.19~~ serve at the pleasure of the director. The
9 workers' compensation commissioner shall maintain an office at
10 the seat of government. The workers' compensation commissioner
11 must be a lawyer admitted to practice in this state.

12 Sec. 2. Section 86.6, Code 2011, is amended to read as
13 follows:

14 **86.6 Recommendations of commissioner.**

15 All recommendations ~~to the governor of any person asking~~
16 ~~the appointment of another as commissioner shall be reduced~~
17 ~~to writing, signed by the person presenting the same, which~~
18 ~~shall be filed by the governor in the governor's office and~~
19 ~~open at all reasonable times for public inspection, and all~~
20 ~~recommendations~~ made by any person to the commissioner for the
21 appointment of another within the power of the commissioner
22 to appoint, shall be reduced to writing, signed by the
23 person presenting the same, and filed by the commissioner
24 and open for public inspection at all reasonable times. If
25 any person recommending the appointment of another within
26 the contemplation of this section refuses to reduce the same
27 to writing, it shall be the duty of the ~~person to whom the~~
28 ~~recommendation is made,~~ commissioner to make a memorandum
29 thereof, stating the name of the person recommended and the
30 name of the person who made the same, which shall be filed in
31 the office of ~~the governor or the commissioner as the case may~~
32 ~~be.~~

33 Sec. 3. Section 86.7, Code 2011, is amended to read as
34 follows:

35 **86.7 Interest in affected business.**

1 It shall be unlawful for the commissioner to be financially
2 interested in any business enterprise coming under or affected
3 by this chapter ~~during the commissioner's term of office,~~
4 and if the commissioner violates this ~~statute, it shall be~~
5 ~~sufficient grounds for removal from office, and in such case~~
6 section, the ~~governor~~ director of the department of workforce
7 development shall at once declare the office vacant and appoint
8 another to fill the vacancy.

9 Sec. 4. Section 91.2, Code 2011, is amended to read as
10 follows:

11 **91.2 Appointment.**

12 The ~~governor~~ director of the department of workforce
13 development shall appoint, ~~subject to confirmation by the~~
14 ~~senate,~~ a labor commissioner who shall serve ~~for a period of~~
15 ~~six years beginning and ending as provided in section 69.19 at~~
16 the pleasure of the director.

17 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
18 immediate importance, takes effect upon enactment.

19 EXPLANATION

20 This bill provides that the workers' compensation
21 commissioner and the labor commissioner shall be appointed by
22 and serve at the pleasure of the director of the department
23 of workforce development. Under current law, those positions
24 are appointed by the governor, subject to confirmation by the
25 senate, to six-year terms.

26 The bill is effective upon enactment.